



#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit :
Examiner :
Serial No. : 09/875,841
Filed : June 5, 2001
Inventor : Michael Goldstein
Title : METHOD AND APPARATUS
: TO FACILITATE TRANSACTIONS
: BETWEEN BUYERS AND SELLERS

22469
22469
PATENT TRADEMARK OFFICE
Docket: 1033-99
Dated: November 19, 2002

**RESPONSE TO NOTICE OF OMITTED ITEM(S) IN A
NON-PROVISIONAL APPLICATION**


Commissioner for Patents
Washington, DC 20231

Sir:

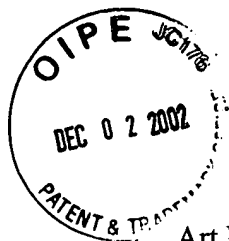
This is in response to the Response to Notice of Omitted Item(s) In a Non-Provisional Application dated September 19, 2002. The Notice indicates that the Figures 3H, 5H, and 6H were omitted from the specification as originally filed. However, we respectfully note that while the drawings were not appropriately labeled, they were in fact filed along with the original application. This is evident from a comparison of the originally filed drawings to the amended drawings filed in response to the Notice of Incomplete Reply dated February 20, 2002.

Accordingly, we respectfully submit that no petition is necessary and there is no need to supply these submitted items. Therefore, Applicant elects option III as set forth in the Notice. Applicant will resubmit the amended drawings as part of a Preliminary Amendment as set forth in the Notice.

Respectfully submitted,


Frank A. Cona
Reg. No. 38,412

FAC:vjh
(215) 563-1810



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PATENT TRADEMARK OFFICE
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Commissioner for Patents
Washington, DC 20231

Certificate of Mailing Under 37 CFR 1.8

For
Postcard
Copy of Notice of Omitted Item(s) in a Non-Provisional Application
Response to Notice of Omitted Item(s) in a Non-Provisional Application

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, DC 20231, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney
or Registered Representative:

Schnader Harrison Segal & Lewis
Customer No. 022469

By: 

Date: 11/19/02



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/875,841	06/06/2001	Michael Goldstein	1033-99

IP Department
SCHNADER HARRISON SEGAL & LEWIS
36th Floor
1600 Market Street
Philadelphia, PA 19103



CONFIRMATION NO. 7963
FORMALITIES LETTER



OC00000008812075

Date Mailed: 09/19/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) Fig. 3h, 5h, & 6h described in the specification.


I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DEP SREF 301
#121 Reg for
Refund

02-27-03

Art Unit :
Examiner :
Serial No. : 09/875,841
Filed : June 5, 2001
Inventors : Michael Goldstein
Title : METHOD AND APPARATUS
: TO FACILITATE TRANSACTIONS
: BETWEEN BUYERS AND SELLERS

Docket No.: 1033-99

Dated: November 21, 2002

REQUEST FOR REFUND

Box 16
Refund Department
Director-U.S. Patent and Trademark Office
Washington, DC 20231

Sir:

On February 20, 2002 we received a Notice of Incomplete Reply in the above-identified application, for which a response was filed on August 20, 2002. Included in the response was a request for a four month extension of time and a check in the amount of \$720.00 to cover the extension fee. A copy of this request and the accompanying check are enclosed herewith.

However, on September 19, 2002, we received a Withdrawal of Previously Sent Notice, which confirmed that the Notice had, in fact, been sent in error. A copy of this Withdrawal is also enclosed.

Accordingly, we respectfully submit that a refund is due in the amount of \$720.00, and we respectfully request that a refund for this amount be posted to the account from which the original check was sent or that a check for this amount, made payable to Frank A. Cona, be sent to 138 Cape Point Circle, Jupiter, FL 33477.

Respectfully submitted,

Frank A. Cona
Reg. No. 38,412

FAC:vjh
(215) 563-1810

Refund Ref:
02/27/2003 EEKUBAY1 0000124478

PHDATA:1057046

CHECK Refund Total: \$720.00

FRANK A. NA
138 CAPE POLICE CIR.
JUPITER, FL 33477

Date 8/20/02

63-8376/2670
184

Pay to the
Order of

Comm'r P. Kelly \$ 720.00
Seven hundred twenty and 00/100 Dollars

Bank
Atlantic

Bluffs #164
3950 U.S. Highway 1
Jupiter, FL 33477

For

1033-89

0001299783 0861





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	:		Frank A. Cona
Examiner	:		Schnader, Harrison, Segal &
Serial No.	:	09/875,841	Lewis, LLP
Filed	:	June 5, 2001	1600 Market St., Suite 3600
Inventors	:	Goldstein, Michael	Philadelphia, PA 19103
Title	:	METHOD AND APPARATUS	
	:	TO FACILITATE TRANSACTIONS	
	:	BETWEEN BUYERS AND	
	:	SELLERS	
	:		
Docket	:	1033-99	Dated: August 20, 2002

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notice to the Notice of Incomplete Reply dated February 20, 2002, we enclose herewith the revised drawings requested therein.

The Notice of Incomplete Reply did not indicate a period for reply, but simply states that the "period remains as set forth in the Notice." Given that the Notice of Incomplete Reply was not mailed until after the expiration of six months from the date of the Notice to File Missing Parts and that it contains additional requirements not present in the Notice to File Missing Parts, it is being treated as a new Notice to File Missing Parts.

Accordingly, we are requesting a four month extension of time from the expiration of two months from the date of the new Notice, and enclose herewith a check in the amount of \$720.00 to cover any fees for the extension of time.

Respectfully submitted,

Frank A. Cona
Reg. No. 38,412
Date: August 20, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/875,841	06/06/2001	Michael Goldstein	1033-99

IP Department
SCHNADER HARRISON SEGAL & LEWIS
36th Floor
1600 Market Street
Philadelphia, PA 19103

RECEIVED
SEP 24 2002

SHSL
IP DEPT.

CONFIRMATION NO. 7963
WITHDRAWAL NOTICE
OC000000008811932

Date Mailed: 09/19/2002

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 02/20/2002 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY